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PATENT
HMD2000-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES**

Applicants: Thomas N. Giaccherini, et al.

Examiner: Ly, Anh Vu H.

Serial No.: 09/579,324

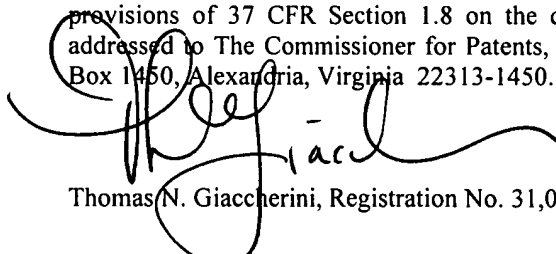
Group Art Unit: 2667

Title: **Method for Utilizing
Excess Communications Capacity**

Filed: 25 May 2000

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

The undersigned hereby certifies that this document is being transmitted to the United States Patent Office by U.S.P.S. First Class Mail in accordance with the provisions of 37 CFR Section 1.8 on the date subscribed to below, and is addressed to The Commissioner for Patents, M.S. Appeal Brief- Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Thomas N. Giaccherini, Registration No. 31,075


Date

**PETITION FOR FOUR MONTH EXTENSION OF TIME
TO SUBMIT APPEAL BRIEF**

The Commissioner for Patents
Mail Stop Appeal Brief- Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

02/26/2007 AAD0F01 00000006 09579324

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Sir:

The Applicants submit this Petition for a Four Month Extension of Time to extend the period for filing the attached Appeal Brief.



Petition for Four Month Extension of Time
to Submit Appeal Brief for USSN 09/579,324
20 February 2007
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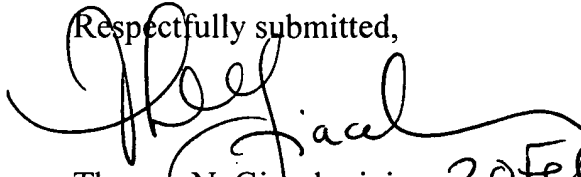
The Applicants filed a Notice of Appeal on 15 August 2006.

After the Applicants submitted the Notice of Appeal, the Patent Office returned an Acknowledgement Postcard bearing an "OIPE" stamp dated 18 August 2006. In accordance with 37 CFR Section 1.192(a) and MPEP Section 1206, an Appeal Brief must be submitted within two months from the date of the Patent Office receipt of the Notice of Appeal, or 18 October 2006. This Petition for Four Month Extension of Time, which is now submitted with the Applicants' Appeal Brief, will extend the period for filing the Appeal Brief until 20 February 2007, since 18 February falls on a Sunday, and the Patent Office is closed on 19 February to celebrate a federal holiday.

The Applicants therefore respectfully submit that their Appeal Brief, together with the attached Petition, is now being filed on 20 February 2007, within the permitted time limits as prescribed by the Rules of the Patent Office.

The Applicants have also submitted a Credit Card Charge Authorization to pay for the Petition fee at the small entity rate of \$795.00.

Respectfully submitted,


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20 Feb 2007

Transmitted to the U.S. Patent Office
with a Rule 8 Certificate by First Class Mail on 20 February 2007.